

Article - Health - General

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§13–1013.

- (a) There is a Counter–Marketing and Media Component in the Program.
- (b) The purpose of the Counter–Marketing and Media Component is to coordinate a statewide counter–marketing and media campaign to counter tobacco advertisements and discourage the use of tobacco products.
- (c)
 - (1) Except as provided in paragraph (2) of this subsection, the Department may not spend any money that is allocated to the Counter–Marketing and Media Component in the State budget until after the Baseline Tobacco Study is completed.
 - (2) Before the Baseline Tobacco Study is completed, the Department may spend money that is allocated to the Counter–Marketing and Media Component in the State budget to conduct formative research relating to the Counter–Marketing and Media Component.
- (d) Subject to subsection (c)(2) of this section, before spending any funds allocated in the State budget to the Counter–Marketing and Media Component and no later than January 1, 2001, the Department shall submit a report to the Governor and, subject to § 2–1257 of the State Government Article, the General Assembly that:
 - (1) Identifies the goals of the Counter–Marketing and Media Component and the target dates for meeting these goals;
 - (2) Describes the various elements of the Counter–Marketing and Media Component and how the Department plans to implement the Component; and
 - (3) Identifies the different target audiences of the Counter–Marketing and Media Component.
- (e)
 - (1) The Department may contract with a higher education institution or private entity to implement any part of the Counter–Marketing and Media Component.
 - (2) If the Department determines that any part of the Counter–Marketing and Media Component should be implemented by a higher education institution or private entity, the Department shall issue a request for proposal to select the entity that will implement that part of the Component.

(3) At a minimum, the request for proposal shall:

(i) State with specificity the goals of the Counter-Marketing and Media Component;

(ii) State with specificity the objectives and performance criteria that will be used to measure the success of the program to which the request for proposal relates; and

(iii) Require that the response to the request for proposal include a plan to reach the targeted audiences identified by the Department.

(4) If the Department issues a request for proposal to select an entity to implement any part of the Counter-Marketing and Media Component, the Department shall use the criteria established in § 13-1003(e)(5) of this subtitle as a guide in administering the request for proposal process.

(f) To the extent practicable, the Department shall take steps to maximize the cost effectiveness of the Counter-Marketing and Media Component, including:

(1) Using advertisements and other communications and public relations products and services that have been developed by and shown to be effective in other states;

(2) Subject to subsection (g) of this section, using money that is allocated to the Counter-Marketing and Media Component to obtain money from the federal government, the National Public Education Fund, or any other entity; and

(3) Coordinating the purchase of broadcast time with other states.

(g) The Department may not accept money from the federal government, the National Public Education Fund, or any other entity if the Department is required to accept, as a condition of receiving the money, restrictions on the content of advertisements, communications, or other public relations products or services that are funded with money from the Cigarette Restitution Fund if the restrictions are inconsistent with the purposes of this subtitle.

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